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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim- Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim- Plaintiff.

**ORDER RE BRIEFING ON SCO'S
MOTION FOR LEAVE TO FILE A THIRD
AMENDED COMPLAINT**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

330

Based upon the stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED as follows:

(a) IBM's Memorandum in Opposition to SCO's Motion for Leave to File a Third Amended Complaint Pursuant to Federal Rules of Civil Procedure 15(a) and 16(b) shall be due on November 23, 2004; and

(b) SCO's Reply Memorandum in Support of its Motion for Leave to File a Third Amended Complaint Pursuant to Federal Rules of Civil Procedure 15(a) and 16(b) shall be due on December 21, 2004.

DATED this 17th day of October, 2004.

BY THE COURT:


DALE A. KIMBALL
U.S. DISTRICT COURT JUDGE

APPROVED AS TO FORM:

HATCH, JAMES & DODGE, P.C.



Brent O. Hatch

Mark F. James

Attorneys for Plaintiff

CERTIFICATE OF SERVICE


I hereby certify that on the 21st day of October, 2004, a true and correct copy of the foregoing was hand delivered to the following:

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United States District Court
for the
District of Utah
October 28, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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